

**REMARKS**

By this amendment, claims 1-16 are pending in the application. Of these, claims 1 and 12 are being amended.

The amendments to claims 1 and 12 are supported at least by the Specification at page 8, line 14 to page 10, line 3, which include the language:

...When the different troughs **56a-f** are shaped and sized to accommodate different process chamber components **24a-f**, the depressions are longitudinally separated with separator sections **120a-b**....

The individual cells **92a-f** formed by pairs of matching first and second troughs **56a-f**, **66a-f** can be separated by the separator sections **120a-e** which are sized to maintain a sufficient gap between adjacent cells that the chamber components **24a-f** in each cell **92a-f** do not contact one another during transportation. The separator sections **120a-e** can be shaped and sized so that when the trays **50**, **60** are coupled, the cells **92a-f** are isolated from each other.

Thus, the claim amendments are fully supported by the originally filed Specification and original claims and add no new matter. Entry of the amendments and reconsideration of the present application in view of the arguments presented herein is respectfully requested.

**Rejection Under 35 U.S.C. 102(b) or 103(a)**

The Office Action rejected claims 1, 2, 3, 6 and 8 under 35 U.S.C. 102(b), as being anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over, Barth et al. (US 3,487,921).

Barth et al. does not anticipate amended Claim 1 which recites, inter alia, a clean room transportation package for a process chamber kit having a plurality of differently shaped chamber components. The package comprises first and second detachable rigid trays which have a plurality of conformal cells having different internal surface profiles formed by facing pairs of first and second troughs, the internal surface profile of each conformal cell matching an external surface profile of a chamber component so that movement of the chamber component in its conformal cell is minimized during transportation. Adjacent cells that are shaped and sized to accommodate different chamber components are separated by separator sections that maintain a gap between the adjacent cells so that the chamber components in each cell do not contact one another during transportation.

Barth et al. teaches a transparent container for a single quick connect coupling which allows viewing and inspection of the coupling thorough the container. Barth et al. teaches a container for a single coupling placed inside the container. Thus, Barth et al. does not teach a clean room transportation package for a process chamber kit comprising a plurality of conform cells for differently shaped chamber components. Barth et al. does not teach a plurality of conformal cells that have an internal surface profile matching an external surface profile of a particular chamber component so that movement of the chamber component in its conformal cell is minimized during transportation. The internal surface profile matching an external surface profile of a particular chamber component is a structural feature, namely, a shape of an internal surface that is entirely disregarded by the Examiner.

Furthermore, claim 1 is also to a package comprising adjacent cells that are shaped and sized to accommodate different chamber components being separated by separator sections that maintain a gap between the adjacent cells so that the chamber components in each cell do not contact one another during transportation. Barth et al. teaches a transparent container for a single coupling, and which consequently, does not have adjacent cells shaped and sized to accommodate different chamber components. Nor does Barth et al. teach separator sections that maintain a gap between the adjacent cells so that the chamber components in each cell do not contact one another during transportation. The separator sections are structural features of the packaging which are not taught by Barth et al.. Thus, Barth et al. does not anticipate claim 1 or claims 2, 3, 6 and 8 under section 102(a) because Barth et al. does not teach each and every element of claim 1.

Furthremore, to establish a *prima facie* case of obviousness under 35 U.S.C. 103(a), there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the teachings of the different references. Second, there must also be a reasonable expectation of success for such a combination. Also, the prior art references that are combined must teach or suggest all the claim limitations. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). In determining the differences between the prior art and the claims, the question under 35 U.S.C. §103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious. Stratoflex, Inc. v. Aeroquip Corp., 713 F. 2d 1530, 218 USPQ 871 (Fed. Cir. 1983). The benefits of the claimed invention should be viewed without the benefit of impermissible hindsight vision afforded by the claims themselves.

Barth et al. does not teach or suggest a package comprising a plurality of conformal cells comprising adjacent cells that are shaped and sized to accommodate different chamber components. Further, the teachings of Barth et al. do not motivate such a structure because Barth et al. teaches a container for a single coupling, which

consequently, does not have adjacent cells shaped and sized to accommodate different chamber components. Also Barth et al. does not teach separator sections that maintain a gap between adjacent cells so that the chamber components in each cell do not contact one another during transportation.

Furthermore, Barth et al. provides no teaching or suggestion that, advantageously, an embodiment of the claimed package can be used to transport a process chamber kit having a number of differently shaped components. With process kits, it is difficult to track all the components of the kit after the kit is dismantled and removed from a process chamber. The present packaging with different shaped conformal cells allows maintaining all the components of the kit together in a single package which has different cells to conform to different chamber component shapes. A package with a plurality of conformal cells that each has an internal surface profile matching an external surface profile of a particular chamber component, and with separator sections between the cells, is not shown or disclosed by Barth et al.. Clearly, when the claimed invention is considered as a whole, Barth et al. does not teach or suggest the same, or provide the motivation to derive the claimed structural features of separate cells for different components and with separators between the same. Thus, claim 1 and claims 2, 3, 6 and 8 dependent therefrom, are not obvious over Barth et al..

#### **Rejections Under 35 U.S.C. 103(a)**

1. The Examiner further rejected claim 4 under 35 U.S.C. 103(a), as being unpatentable over Barth et al, in view of Everson (US 5,454,478).

In making the assessment of differences between the prior art and the claimed subject matter, section 103 specifically requires consideration of the claimed invention 'as a whole.' Princeton Biochemicals, Inc. v. Beckman Coulter, Inc. (Fed. Cir., No. 04-1493, 6/9/05). "[S]imply identifying all of the elements in a claim in the prior art does not render a claim obvious. Ruiz v. A.B. Chance Co., 357 F.3d 1270, 1275 (Fed. Cir. 2004).

Barth et al. teaches a container for a single coupling which allows viewing and inspection of the coupling. Barth et al. does not teach a clean room transportation package for a process chamber kit having different conformal cells for a plurality of different shaped chamber components as claimed in claim 1. Nor does Barth et al. recognize the advantages of using the claimed transportation package in a clean room environment for packaging of a process chamber kit having a plurality of differently shaped chamber components. Also, Barth et al. does not teach or suggest a package comprising a plurality of conformal cells in which adjacent cells that are shaped and sized to accommodate different chamber components are separated by separator sections that maintain a gap between the adjacent cells so that the chamber components in each cell do not contact one another during transportation. Barth et al. does not motivate such a structure because Barth et al. teaches a container for a single coupling, and which consequently, does not have adjacent cells shaped and sized to accommodate different chamber components. The separator sections would not be needed if the plurality of cells were designed to house a single component.

Everson does not make up for the deficiencies of Barth et al. because Everson also does not teach a package comprising rigid trays having conformal cells that each have an internal surface profile matching an external surface profile of a particular chamber component so that movement of the chamber component in its conformal cell is minimized during transportation. Instead Everson discloses a compartmentalized transferred container comprising generally rectangular storage compartments. The generally rectangular storage compartments are not conformal cells having an internal surface profile matching an external surface profile of a particular chamber component, as claimed in claim 1. Furthermore, as acknowledged by the Examiner, Barth et al. does not disclose handle portions. Everson discloses a recessed cavity 26 into which a separate structure of a handle 24 is fitted, as shown in FIG. 1 and described at column 4, lines 8-12. In contrast, claim 4 is directed to "a handle cut-out" which is a cut-out section that serves as the handle itself, that is, it does not have a separate handle structure.

Thus, neither Barth et al. nor Everson disclose claim 1 or claim 4, when considered as a whole and without the benefit of hindsight reconstruction, and thus, this rejection should be withdrawn.

2. The Examiner rejected claim 5 under 35 U.S.C. 103(a), as being unpatentable over the references applied above with respect to claim 4, further in view of Keip et al. (US 5,816,425).

As explained above, neither Barth et al. nor Everson teach a clean room transportation package for a process chamber kit that has a plurality of conformal cells for different shaped chamber components as claimed in parent claim 1. Barth et al. teaches a transparent container for a single coupling and Everson discloses a compartmentalized transferred container comprising generally rectangular storage compartments. Neither reference teaches a package comprising rigid trays defining a plurality of conformal cells that each has an internal surface profile matching an external surface profile of a particular chamber component so that movement of the chamber component in its conformal cell is minimized during transportation. Furthermore, neither Barth et al. nor Everson teach or suggest a package comprising a plurality of conformal cells in which adjacent cells that are shaped and sized to accommodate different chamber components, or that such cells should be separated by separator sections that maintain a gap between the adjacent cells. Also, neither Barth et al. nor Everson teach the advantages of the claimed transportation package in a clean room environment for packaging for a process chamber kit that has a plurality of differently shaped chamber components.

Furthermore, as acknowledged by the Examiner, Barth et al. does not disclose handle portions. Everson discloses a recessed cavity 26 into which a separate handle 24 is fitted, and does not disclose "a handle cut-out" which is a cut-out section that serves as the handle itself.

Keip et al. discloses a modular parts container that includes multiple side panels having interlocking end fittings. (Abstract.) However, Keip et al. does not teach a clean room transportation package for a process chamber kit having different conformal cells for different shaped chamber components as claimed in parent claim 1. Keip et al. appears to teach a container having a single box shaped enclosed space, as shown in FIG. 1, and not differently shaped conformal cells. Keip et al. also does not teach or suggest a package comprising adjacent cells shaped and sized to accommodate different chamber components which are separated by separator sections that maintain a gap between the adjacent cells. Keip et al. does not motivate such a structure because Keip et al. teaches a single box shaped enclosure which does not have separator sections. Thus, the combination of Keip et al., Barth et al. and Everson does not render claim 5 obvious.

3. The Examiner rejected claim 7 under 35 U.S.C. 103(a), as being unpatentable over Barth et al. in view of Hamilton et al. (US 4,674,650).

Claim 7 is dependent on claim 1, and further recites a groove in the rim of a tray and a gasket seal within the groove.

Barth et al. does not teach a clean room transportation package for a process chamber kit that has a plurality of conformal cells for different shaped chamber components as claimed in parent claim 1. Instead, Barth et al. teaches a transparent container for a single quick connect coupling which allows viewing and inspection of the coupling thorough the container. Barth et al. also does not teach or suggest a package comprising a plurality of conformal cells in which adjacent cells that are shaped and sized to accommodate different chamber components are separated by separator sections that maintain a gap between the adjacent cells. Barth et al. does not motivate such a structure because Barth et al. teaches a container for a single coupling.

Furthermore, the Examiner acknowledges that Barth et al. does not disclose a gasket seal with a groove. Hamilton et al. teaches a container and a cover

fastening means for shipping resins, such as polytetrafluoroethylene resin. (Column 1, lines 18-21). However, Hamilton et al. does not teach a package for use in a clean room environment which comprises rigid trays that each define a plurality of conformal cells, each cell having an internal surface profile matching an external surface profile of a particular chamber component so that movement of the chamber component in its conformal cell is minimized during transportation. Instead, Hamilton et al. discloses a single cell container for holding liquid resins as shown in FIG. 1.

Thus, the combination of Hamilton et al. and Barth et al. do not teach or suggest claim 7.

4. The Examiner rejected claims 9-11 under 35 U.S.C. 103(a), as being unpatentable over Barth et al, in view of Official Notice.

Barth et al. does not teach a clean room transportation package comprising rigid trays defining a plurality of conformal cells that each have an internal surface profile matching an external surface profile of a particular chamber component as claimed in parent claim 1. Instead, Barth et al. teaches a transparent container for a single quick connect coupling. Barth et al. does not teach or suggest a package comprising adjacent cells that are shaped and sized to accommodate different chamber components are separated by separator sections that maintain a gap between the adjacent cells.

Furthermore, coloring a container for aesthetic purposes as suggested in the Official Notice taken by the Examiner, is not the same as the claimed feature of a container having a tray that has a color selected from a color code table which associates particular colors with particular chamber components. The advantages of a color coded container, namely to allow ready identification of chamber components without opening a sealed packaged is not the same as selecting a color based on coloring aesthetics. A container color from a color code table for chamber components is not obvious from general color tastes and preferences.



Thus, the instant claims 9-11 are not obvious over Barth et al. and the Examiner's Official Notice.

5. The Examiner rejected claims 12-13 and 15 under 35 U.S.C. 103(a), as being unpatentable over Barth et al, in view of Hamilton et al. (US 4,674,650).

Barth et al. does not teach a clean room transportation package for a process chamber kit which has a plurality of conformal cells for different shaped chamber components as claimed in claim 12, and claims 13 and 15 which are dependent therefrom. Instead, Barth et al. teaches a transparent container for a single quick connect coupling. Barth et al. also does not teach or suggest a package comprising a plurality of conformal cells in which adjacent cells that are shaped and sized to accommodate different chamber components are separated by separator sections that maintain a gap between the adjacent cells. Barth et al. does not motivate such a structure because Barth et al. teaches a container for a single coupling, and which consequently, does not have adjacent cells shaped and sized to accommodate different chamber components. Barth et al's package does not have adjacent cells for different components which are separated by separator sections that maintain a gap between the cells so that the chamber components in each cell do not contact one another during transportation. The separator sections would not apply if the plurality of cells were designed to house a single component.

Furthermore, Barth et al. provides no teaching or suggestion to the advantageous taught by the Specification, namely, that an embodiment of the claimed package can be used to transport a process chamber kit having a number of different components right into the clean room or out of the clean room itself. The packaging with different shaped conformal cells allows maintaining all the components of the kit together in a single package with different shaped cells. A package with a plurality of conformal cells that each has an internal surface profile matching an external surface profile of a particular chamber component is not shown or disclosed by Barth et al. Barth et al. also does not recognize the advantages of using the claimed transportation

package. Thus, claims 12 and 13 and 15 dependent therefrom, are not obvious over Barth et al..

Furthermore, the Examiner acknowledges that Barth et al. does not disclose a gasket seal with a groove.

Hamilton et al. teaches a container and a cover fastening means for shipping resins, such as polytetrafluoroethylene resin.. (Column 1, lines 18-21). However, Hamilton et al. does not teach a package for use in a clean room environment which comprises rigid trays defining conformal cells having an internal surface profile matching an external surface profile of a particular chamber component so that movement of the chamber component in its conformal cell is minimized during transportation. Instead, Hamilton et al. discloses a single cell container for holding liquid resins as shown in FIG. 1.

Thus, the combination of Hamilton et al. and Barth et al. do not teach or suggest claim 12 or the claims dependent therefrom.

6. The Examiner rejected claim 14 under 35 U.S.C. 103(a), as being unpatentable over the references applied above with respect to claims 13, further in view of Everson (US 5,454,478).

As explained above, Barth et al., Hamilton et al. and Everson do not teach a clean room transportation package for a process chamber kit that has a plurality of conformal cells for different shaped chamber components as claimed in claim 12. Barth et al. teaches a transparent container for a single quick connect coupling and Everson discloses a compartmentalized transferred container comprising generally rectangular storage compartments. Hamilton et al. teaches a container for shipping liquid resins. Neither Barth et al. nor Everson nor Hamilton et al. recognize the advantages of a transportation package for packaging a process chamber kit having a plurality of differently shaped chamber components. The cited references also do not teach a

package comprising rigid trays that each define a plurality of conformal cells, each cell having an internal surface profile matching an external surface profile of a particular chamber component so that movement of the chamber component in its conformal cell is minimized during transportation.

Thus, the cited references do not render claim 14 obvious.

7. The Examiner rejected claim 16 under 35 U.S.C. 103(a), as being unpatentable over the references applied above with respect to claims 12, further in view of Official Notice.

Barth et al., Hamilton et al. and Everson, do not teach a package comprising rigid trays that each define a plurality of conformal cells, each cell having an internal surface profile matching an external surface profile of a particular chamber component so that movement of the chamber component in its conformal cell is minimized during transportation. Nor do the cited references teach adjacent cells that are shaped and sized to accommodate different chamber components are separated by separator sections that maintain a gap between the adjacent cells. Furthermore, Barth et al. also does not recognize the advantages of using the claimed transportation package in a clean room environment. Everson discloses a compartmentalized transferred container comprising generally rectangular storage compartments; and Hamilton et al. teaches a container for shipping liquid resins. None of these cited references recognize the advantages of a transportation package for packaging a process chamber kit having a plurality of differently shaped chamber components.

Furthermore, as explained above, coloring a container for aesthetic purposes as suggested in the Official Notice, is not the same as a container having a color that is selected from a color code table which associates particular colors with particular chamber components. The advantages of color coding a container to identify chamber components safely inside a package is not determinable by selecting a color based on coloring aesthetics. Thus, the cited references do not render a claim 16

8550 USA/AGS/IBSS/LAP  
Application No: 10/609,138  
Page 18 of 18


obvious.

The above-discussed amendments are believed to place the present application in condition for allowance. Should the Examiner have any questions regarding the above remarks, the Examiner is requested to telephone Applicant's representative at the number listed below.

Respectfully submitted,  
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